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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,073	09/17/2003	Edward J. Crawford	FIS920000188US2	5068
48144	7590	11/07/2007 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817		
		EXAMINER TRAN, BINH X		
		ART UNIT	PAPER NUMBER	1792
		MAIL DATE	DELIVERY MODE	11/07/2007 PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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Mailed: 11-7-07

In re application of :
Crawford, Edward J. :
Serial No. 10/664,073 : DECISION ON
Filed: September 17, 2003 : PETITION
For: FIB/RIE METHOD FOR IN-LINE CIRCUIT :
MODIFICATION OF MICROELECTRONIC :
CHIPS CONTAINING ORGANIC DIELECTRIC :

This is a decision on the PETITION UNDER 37 CFR 1.181 TO PROVIDE A COMPLETE RESPONSE IN ACCORDANCE WITH MPEP §707.07 (f), filed on November 14, 2005.

On September 17, 2003 a Preliminary Amendment was filed with the filing of the instant Application. A requirement for Election of Species was mailed on June 21, 2005. Applicant's Response and Election was received on July 7, 2005. A Non-Final was mailed to Applicants on August 12, 2005. Applicant filed a Response to the Non-Final Rejection on November 14, 2005. A Petition under 37 CFR 1.181 to provide a complete response was filed on November 14, 2005.

Petitioner has argued that the Non-Final Office Action mailed on August 12, 2005 is incomplete in that it does not address the previous arguments presented by Applicant in the Preliminary Amendment filed September 17, 2003.

DECISION

Section 707.07(f) [R-3] Answer All Material Traversed of the MPEP states:

In order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application. Where the requirements are traversed, or suspension thereof requested, the examiner should make proper reference thereto in his or her action on the amendment. Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it. If applicant's arguments are persuasive and upon reconsideration of the rejection, the examiner determines that the previous rejection should be withdrawn, the examiner must provide in the next Office communication the reasons why the previous rejection is withdrawn by referring specifically to the page(s) and line(s) of applicant's remarks which form the basis for withdrawing the rejection. It is not acceptable for the examiner to merely indicate that all of applicant's remarks form the basis for withdrawing the previous rejection. Form paragraph 7.38.01 may be used. If the withdrawal of the previous rejection results in the allowance of the claims, the reasons, which form the basis for the withdrawal of the previous rejection, may be included in a reasons for allowance. See MPEP § 1302.14. If applicant's arguments are persuasive and the examiner

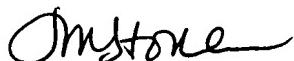
determines that the previous rejection should be withdrawn but that, upon further consideration, a new ground of rejection should be made, form paragraph 7.38.02 may be used. See MPEP § 706.07(a) to determine whether the Office action may be made final. If a rejection of record is to be applied to a new or amended claim, specific identification of that ground of rejection, as by citation of the paragraph in the former Office letter in which the rejection was originally stated, should be given.

Petitioner argues that the arguments presented in the Preliminary Amendment filed on September 17, 2003 have not been addressed by the Examiner in the Office Action mailed on August 12, 2005.

Petitioner's arguments are persuasive. The Examiner has repeated a rejection (from the Parent Application) without taking note of Applicant's argument (presented with the Preliminary Amendment) and answering the substance of it as required by MPEP §707.07 (f).

Accordingly, the Petition to provide a complete response in accordance with MPEP §707.07 (f) is **GRANTED**.

The Application is forwarded to the Examiner for consideration of the Arguments presented with the Preliminary Amendment filed on September 17, 2003.



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